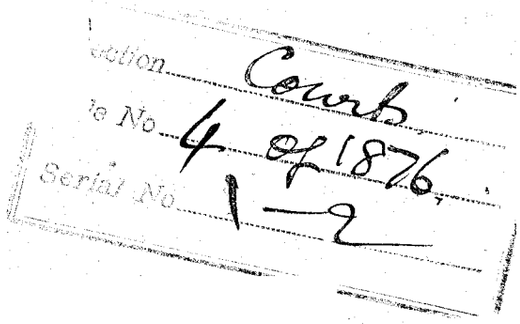
Previous Reference:-

Cls: 3 – 1872
" 5 – 1873
" 3 – 1876

Later Reference:-

Cls: 11 – 1878
" 10 – 1879
" 11 – 1879
" 12 – 1879
" 3 – 1881



Subject:

Functions of the ~~Do~~ Public Prosecutors under the Criminal Procedure Code

Indexed.

P 117

1876. No. 116

From

The Judl Commissioner in Mysore

To

Secretary to Chief Commissioner,
General Department.

Dated 22nd August 1876.

Despatched 25" "

Received 25" "

Regd

ENCLOSURES NO. 2

General No. 1030 } 1876—77.
No. 117

Forwards a letter from the Sessions Judge of Nandidroog and states that as the Chief Commissioner's Order may be construed to include both classes of cases it may be amended and made to apply to Criminal cases only.

Reply that as Pub. Prosecutors appointed under Section 492 Cr. Pro. Code, the Chief Commissioner is unable to see that any doubt such as that suggested by the Sessions Judge of Nandidroog can arise. The powers however can be restricted by Chief Commissioner's Order if necessary.

Enclosures 4 2/8

Approved
26. 8. 76

78

Recd 29/8/1876

No. 1050
117

Mysore Judl Commissioner's Office

Bangalore 22nd August 1876

From

J. D. Gordon Esquire C. S. I.
Judicial Commissioner
in Mysore.

To

The Secretary to the
Chief Commissioner
of Mysore

Sir

I have the honor to forward herewith a letter from the Sessions Judge Nandidroog, expressing a doubt whether the Chief Commissioner's proceedings No. 3502/33 dated 8th July 1876 apply to Criminal Cases alone or to Civil Cases as well, and to state that as the words may be construed to include both class of cases the order may be amended and made to apply to Criminal Cases only.

2. My opinion referred to in the Order was given only with regard to Criminal Cases. The case which was the occasion of the opinion was a criminal one

No. 140 dated the 25th July 1876 to be Kindly returned

one, and as will be clear from my memorandum dated 16th March 1875 and the Officiating Judicial Commissioner's letter No. 2701/240 dated 10th January 1873 quoted in my letter No. 593/71 of the 27th June last, it has all along been understood that Public Prosecutors should be employed only in Criminal cases.

I have the honor to be
Sir
Your most Obedt. Servant

J. D. Jordan

Jud. Commissioner

A.P.

No 5434
J 60

4

H. C. Office
Blantyre 30th August 1896.

To
The Judicial Comptr
of Impose

Sir,

In reply to your letter
No 1030/1117 of the 22nd instt,
I am directed ~~to inform~~ state
that as Public Prosecutors
exercise their functions under
the Criminal Procedure Code,
the Chief Comptr is unable to
see that any doubt such
as that suggested by the
Comptr of Customs could
arise. The point has, however,
been adverted to in the Adj.
Comptr's Order of the 16th instt
No 181

His two enclosures of your
letter are herewith returned

as to the interpretation
of this section clear
to Mr Rose

Chas L
29/8

29/8/96
W.E.

[illegible]

1/
P117.

1876

To
The Just. Commissioner
in Shyere

D/30 Dy Cmsr
Desp. 31.
Rec'd
Enclos: 2 { 1. From Mundy Broog Cour. 20
1403 of 25th July 76. Just. Cour.
2. From Mr. A. Sinclair Pub: Prosecutor
of 19th July, to Mundy Broog Cour.

No. 5434
J 60

With reference to his No. 1020
of the 22nd ult. I direct
that the Public Prosecutors
exercise their functions under
the Criminal Procedure Code -

Kirkpatrick